

## **REMARKS**

Reconsideration of this application, as amended, is respectfully requested.

Claims 1-23 are pending. Claims 15-23 are allowed. Claims 1-2, 4-9 and 11-14 stand rejected. Claims 3 and 10 have been objected to.

Claims 1, 4, 8, 11, 15, and 19 have been amended. Claims 3 and 10 have been canceled.

No claims have been added. Support for the amendments is found in the specification, the drawings, and in the claims as originally filed. Applicants submit that the amendments do not add new matter.

### **Allowed and Allowable Subject Matter**

Applicants note with appreciation the Examiner's allowance of the claims 3 and 10, if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Rather than rewriting claims 3 and 10, Applicants have amended independent claims 1 and 8 to include the limitations of respective dependent claims 3 and 10. Claims 3 and 10 have been canceled.

Thus, claims 1 and 8 now include the limitations of respective dependent claims 2 and 3 and are now allowable as the Examiner indicated that claims 3 and 10 were allowable.

Applicants note with appreciation the Examiner's allowance of the claims 15-23.

### **Rejections Under 35 U.S.C. § 103**

Claims 1, 4-5, 7-8, 11-12, and 14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,145,077 of Sidwell et al. ("Sidwall") in view of the IBM

ESA/390 processor as disclosed in the ESA/390 Principles of Operation (“ESA/390”). Claims 2, 6, 9 and 13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Sidwell in view of ESA/390 and further in view of Sun Microsystems Visual Instruction Set (VIS™) User’s Guide Version 1.1 (“VIS”).

Applicants note with appreciation the Examiner’s allowance of the claims 3 and 10, if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Rather than rewriting claims 3 and 10, Applicants have amended independent claims 1 and 8 to include the limitations of respective dependent claims 3 and 10.

Thus, claims 1 and 8 now include the limitations of respective dependent claims 2 and 3 and are now allowable as the Examiner indicated that claims 3 and 10 were allowable.

Given that claims 2-3 and 9-10 depend from respective amended independent claims 1 and 8 and add additional limitations, Applicants respectfully submit that claims 2-3 and 9-10 are likewise patentable over the references cited by the Examiner.

Applicants have amended claim 4 to indicate the routine that causes the processor to extract one of the data elements from the first packed data operand into a field of a destination register, while preserving other data elements in the first packed data operand.

The Examiner stated that

Sidwell does not disclose the routine at least causing the processor to at least, access a first data operand having a data element; access a second packed data operand having at least two data elements; insert the data element in the first data operand into a destination field of a destination register.

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As such, Sidwell does not disclose the routine that causes the processor to extract one of the data elements from the first packed data operand into a field of a destination register, while preserving other data elements in the first packed data operand, as recited in amended claim 4.

ESA/390 discloses that first and second operands that participate in the instruction execution producing a result. Importantly, ESA/390 merely discloses that the result of the instruction execution replaces in a register one of the operands participating in the instruction execution (ESA/390, section 5.1.1.), in contrast to extracting one of the data elements from the first packed data operand into a field of a destination register, while preserving other data elements in the first packed data operand, as recited in amended claim 4.

Therefore, Applicants respectfully submit that amended claim 4 is not obvious under 35 U.S.C. § 103 (a) over Sidwell in view of ESA/390.

Given that amended independent claim 11 contains at least the discussed above limitations of amended claim 4, Applicants respectfully submit that claim 11 is likewise not obvious under 35 U.S.C. § 103 (a) over Sidwell in view of ESA/390.

Given that claims 5-7 and 12-14 depend from respective amended independent claims 4 and 11 and add additional limitations, Applicants respectfully submit that claims 5-7 and 12-14 are likewise not obvious under 35 U.S.C. § 103 (a) over Sidwell in view of ESA/390.

Claims 6 and 13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Sidwell in view of ESA and further in view VIS.

VIS discloses arithmetic instructions performing addition, subtraction, or multiplication (section 4.6), in contrast to instructions to extract one of the data elements from the first packed data operand into a field of a destination register, while preserving other data elements in the first packed data operand, as recited in amended claim 4 and 11.

Thus, neither Sidwell, ESA/390, or VIS discloses discussed above limitations of amended independent claims 4 and 11.

Therefore, Applicants respectfully submit that claims 4 and 11 are not obvious under 35 U.S.C. § 103 (a) over Sidwell in view of ESA/390 and further in view of VIS.

Given that claims 6 and 13 depend from respective amended independent claims 4 and 11 and add additional limitations, Applicants respectfully submit that claims 6 and 13 are likewise not obvious under 35 U.S.C. § 103 (a) over Sidwell in view of ESA/390 and further in view of VIS.

It is respectfully submitted that in view of the amendments and arguments set forth herein, the applicable rejections and objections have been overcome. If there are any additional charges, please charge Deposit Account No. 02-2666 for any fee deficiency that may be due.

Respectfully submitted,

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